International Seabed Authority ISBA/24/A/INF/1

Assembly

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Item 6 of the provisional agenda*
Consideration of requests for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly

Request submitted by Earthworks for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly

Note by the secretariat

1. On 17 March 2017, the non-profit organization Earthworks submitted a letter to the Secretary-General of the International Seabed Authority, requesting observer status in the Assembly of the Authority (ISBA/23/A/INF/2, annex). The Assembly considered the application made by Earthworks at its 162nd meeting, held during its twenty-third session. A number of delegates expressed concern over the lack of information provided in order to allow them to assess the merits of the application. The Assembly agreed to defer any decision on the granting of observer status to Earthworks until full information, in the standard format in an official document, had been received for its consideration (ISBA/23/A/14, para. 8).

2. Earthworks has resubmitted its application, comprising the revised letter (annex I) and supporting information provided by the applicant (annex II).

3. In accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly, non-governmental organizations with which the Secretary-General has entered into arrangements in accordance with article 169, paragraph 1, of the United Nations Convention on the Law of the Sea, and other non-governmental organizations invited by the Assembly that have demonstrated their interest in matters under consideration by the Assembly may participate as observers in the Assembly.

4. Paragraphs 5 and 6 of the same rule further provide that observers referred to in paragraph 1 (e) of that rule may sit at public meetings of the Assembly and, upon the invitation of the President and subject to approval by the Assembly, may make oral statements on questions within the scope of their activities, and that written statements submitted by observers referred to in paragraph 1 (e) of that rule within the scope of their activities which are relevant to the work of the Assembly should be made available by the secretariat in the quantities and in the languages in which the statements are submitted.

* ISBA/24/A/L.1.

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Annex I

Letter dated 8 May 2018 from the Mining Programme Director of Earthworks addressed to the Secretary-General of the International Seabed Authority

In accordance with rule 82 of the rules of procedure of the Assembly of the International Seabed Authority. Earthworks is respectfully seeking to participate in meetings of the Assembly as an observer.

Earthworks is a non-profit 501 (c) (3) organization incorporated in Washington, D.C. Its mission is to protect communities and the environment from the adverse impacts of mineral development. We work with communities around the world, from Papua New Guinea to Mexico. Earthworks has been instrumental in the development of social, environmental and financial requirements for mining in the United States and elsewhere. We sit on the steering committee of the Initiative for Responsible Mining Assurance, a multi-stakeholder process that is defining standards and providing oversight for mineral extraction.

Earthworks welcomes the opportunity to contribute to the work of the Authority and member States. It respectfully requests that its application for observer status in the Assembly be favourably considered. Please let us know if you require further information.

(*Signed*) Payal **Sampat**
Mining Programme Director
Earthworks

Annex II

Supporting information on the request by Earthworks for observer status in the Assembly of the International Seabed Authority

1. Name of organization

Earthworks

2. Address, telephone number and website

1612 K Street NW
Suite 904
Washington. D.C. 20006
United States of America

202 887 1872

www.earthworksaction.org

3. Name, title and address of proposed primary representatives

Payal Sampat
Mining Programme Director
1612 K Street NW
Suite 904
Washington, D.C. 20006
United States of America

4. Aims and purpose of Earthworks

Earthworks is a 501 (c) (3) non-profit organization dedicated to protecting communities and the environment from the adverse impacts of mineral and energy development while promoting sustainable solutions. Earthworks stands for clean air, water and land, healthy communities and corporate accountability. We work for solutions that protect both the Earth's resources and communities. We fulfil our mission by working with communities and grass-roots groups to strengthen policies, improve extractive industry practices and encourage responsible materials sourcing and consumption through work informed by sound science.

Earthworks has been instrumental in the development of social, environmental and financial requirements for mining in the United States and elsewhere. Earthworks welcomes the opportunity to contribute to the work of the Authority and member States.

5. History

Earthworks has a 29-year track record of working to reduce the social and environmental footprint of the extractive industries. We do so through influencing policies and regulations, providing technical expertise, engaging with stakeholders and supporting communities affected by oil, gas and mining. Earthworks evolved from the work of two organizations — the Mineral Policy Center and the Oil & Gas Accountability Project — that joined forces in 2005. The Mineral Policy Center was founded in 1988 by Phil Hocker, Mike McCloskey and former United States Secretary of the Interior, Stewart L. Udall, to help reform mining laws and practices. The Oil & Gas Accountability Project was founded in 1999 to work with people in rural, tribal and urban communities to protect their homes and environment from the impacts of

oil and gas development — bringing together such diverse partners as Native Americans, ranchers, sportspeople and environmentalists.

6. Recent activities

Earthworks works to protect communities and ecosystems from the adverse impacts of mineral development while promoting sustainable solutions. We partner with communities to protect special places while driving systemic change in policies and practices related to mining and oil and gas extraction. As an advocacy organization with technical knowledge of the hard-rock mining and oil and gas industries, Earthworks connects grass-roots civil society groups with longer-term policy reforms and market-based solutions to move both industries towards greater responsibility and accountability. We aim to achieve improvements in the social and environmental practices of mineral development through policy reforms, advocacy and research, and to advance just and sustainable solutions to meeting our energy and mineral needs.

Earthworks' track record of successes include protecting Yellowstone and Yosemite National Parks and 400,000 acres of the Rocky Mountain Front from proposed mineral development, strengthening federal requirements for mercury emissions from mining, which has resulted in a 77 per cent reduction in mercury emissions, and requiring mining companies to report their toxic releases in the United States. In collaboration with technical experts, affected communities, international agencies (including the United Nations Environment Programme) and local governments, Earthworks has conducted research and advocated policies and practices that reduce the risks of mine waste disposal to downstream communities, rivers, lakes and marine ecosystems.

Earthworks is a founding member of the multi-stakeholder Initiative for Responsible Mining Assurance and serves on its steering committee as a representative of the non-governmental sector; other sectors are labour, indigenous communities, mining companies and downstream retailers. The Initiative has developed a comprehensive Standard for Responsible Mining covering a wide range of verifiable practices, including mine waste disposal, financial assurances, worker health and safety, and reclamation and closure.

7. Descriptive statement of the extent to which the purposes of Earthworks relate to those of the International Seabed Authority, including, in particular, the contributions that can be made to the progress of the Authority

Earthworks values the opportunity to contribute to the progress of the International Seabed Authority, in particular with regard to developing regulations for deep-sea mining. Earthworks has extensive experience in contributing to the development of regulations for terrestrial mining, including environmental safeguards, community engagement, habitat protection, financial guarantees, and closure and reclamation. We sit on the steering committee of the Initiative for Responsible Mining Assurance, a multi-stakeholder process that is defining standards and providing oversight for mineral extraction. We have provided comments on the International Seabed Authority's draft regulatory framework for mineral development, have participated in its workshop on drafting environmental regulations in Berlin and seek to continue to participate in its development of deep-sea mining regulations.

8. Structure

Earthworks is a non-profit organization listed in the United States, divided into various departments that are led by department heads. The organization is headed by an executive director, supervised by an advisory board and a board of directors.

9. Member organizations

Earthworks does not have member organizations.

10. Current member representatives and officers

Earthworks does not have member representatives or officers. Our current directors are Robin Broad, Cathy Carlson, Ken Colburn, Gloria Flora, Jay Halfon, Adele Hurley, Anthony Ingraffea, Bill McNeill, Jennifer McDowell, Glenn Miller, Wilma Subra and Mark Squillace. Further details are available at https://earthworks.org/about/board-of-directors.

11. Affiliated organizations

We work in close collaboration with global and regional networks such as the Global Mining Campaign, the Western Mining Action Network and the Deep Sea Conservation Coalition. We serve on the steering committee of the Initiative for Responsible Mining Assurance, a multi-stakeholder certification body for mining operations. We serve as a fiscal sponsor for a number of organizations, including Alaskans for Responsible Mining, the Arizona Mining Reform Coalition, the Big Bend Conservation Alliance and Ethical Metalsmiths. We collaborate with a number of other community-based national and global organizations and with technical experts, academic institutions and scientists.